

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
Charlotte Division**

AARON ASELTINE, individually and on
behalf of others similarly situated,

Plaintiff,

v.

BANK OF AMERICA, N.A.,

Defendant.

No. 3:23-cv-00235-MOC-WCM

**CONSENT MOTION FOR EXTENSION OF TIME FOR DEFENDANT
BANK OF AMERICA, N.A. TO RESPOND TO COMPLAINT**

Defendant Bank of America, N.A. (“BANA”) hereby requests a 30-day extension of time to, and including June 1, 2023, to answer or otherwise respond to Plaintiff Aaron Aseltine’s Complaint in this action. In support of this Motion, BANA respectfully shows the Court as follows:

1. Plaintiff’s Complaint was served upon BANA no earlier than March 27, 2023.
2. BANA timely removed this action to this Court from the Mecklenburg County, North Carolina Superior Court on April 25, 2023.
3. The May 2, 2023 deadline for BANA to respond to the Complaint has not expired. *See* Fed. R. Civ. P. 81(c)(2).
4. BANA has not had sufficient time to obtain the information necessary to respond to Plaintiff’s Complaint. Additionally, BANA’s lead counsel, Laura Stoll, for whom a motion for *pro hac vice* admission has been filed, is currently preparing for a week of pre-arbitration depositions beginning May 1 and an arbitration beginning on May 8, 2023.

5. Counsel for BANA has conferred with counsel for Plaintiff, who consents to this Motion and the proposed response date of June 1, 2023.

WHEREFORE, for good cause shown, BANA respectfully requests that the Court enter an Order extending to June 1, 2023 BANA's deadline to respond to the Complaint.

This the 26th day of April, 2023.

/s/ Bradley R. Kutrow
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CERTIFICATE OF SERVICE

This is to certify that the undersigned has this day served the foregoing **MOTION FOR EXTENSION OF TIME** on all parties to this cause by depositing a copy hereof, postage prepaid, in the United States Mail, addressed to the attorney for each said party as follows:

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This the 26th day of April, 2023.

/s/ Bradley R. Kutrow
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